

REMARKS

1. Summary of the Office Action

In the non-final Office Action mailed on July 9, 2009, the Examiner indicated Applicant's previous election of species II (claims 6 and 23) was made final. The Examiner rejected claims 1-3, 7-8, 13, 17-19, 24-25, and 30 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,283,858 (Hayes). The Examiner rejected claims 1, 7, 13-14, 17, 24, 30, and 31 under 35 U.S.C. § 102(b) as being anticipated by S. Lee *et al.*, "CFBOX: Superimposing 3D Human Face on Motion Picture", pp. 644, Seventh Int'l Conference on Virtual Systems and Multimedia", 2001. (Lee). The Examiner rejected claims 1-2, 4, 7-11, 14-18, 20-21, 24-28, and 31-33 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Pub. No. 2003/0007700 (Gutta).

The Examiner also objected to claims 5-6 and 22-23 as being dependent on a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant thanks the Examiner for the indication of allowable subject matter.

2. Summary of the Response

In this response, Applicant has amended claims 1, 5, 17, 22, and 27 and has cancelled previously-withdrawn claims 12 and 29. Thus, claims 1-11, 13-28, and 30-33 are currently pending, of which claims 1 and 17 are independent and the remainder are dependent.

3. Response to Rejections under 35 U.S.C. § 102

As mentioned above, the Examiner rejected various claims of the application under 35 U.S.C. § 102 as being anticipated by Hayes, Lee, and Gutta, respectively. The Examiner also indicated that claims 5 and 22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant notes that previous claim 5 directly depended from claim 1 and claim 22 directly depended from claim 17.

In this response, Applicant has introduced the subject matter of previous claim 5 regarding demographic classifications into independent claim 1 and introduced the similar

subject matter of previous claim 22 into independent claim 17. Specifically, claim 1 has been amended to recite, in part, “generating, at the computer system, demographic classifications using the plurality of input images” and “replacing at least one replaceable actor image in a video sequence with at least one of the plurality of input images based on the demographic classifications....” Claim 17 has been amended to recite, in part, “generating demographic classifications using the plurality of input images” and “replacing at least one replaceable actor image in a video sequence with at least one of the plurality of input images based on the demographic classifications....” Support for these amendments may be found generally throughout the specification and specifically on at least page 8, line 20 – page 9, line 11, page 18, lines 1-13, and page 24, line 11 – page 25, line 21.

As the Examiner had indicated that claims 5 and 22 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, Applicant submits that amended claims 1 and 17 are now allowable for at least the same reasons that previous claims 5 and 22 were found to be allowable.

Further, Applicant submits the each of the pending dependent claims 2-11, 13-16, 18-28, and 30-33 are allowable as well, for at least the reason that each of the dependent claims ultimately depends from allowable base claim 1 or 17, respectively. Each of the pending dependent claims 2-11, 13-16, 18-28, and 30-33 may be allowable for its own reasons as well. Applicant specifically reserves the right to assert the patentability of any or all of the dependent claims at a later date in this or another application.

In view of the foregoing, Applicant submits that all stated rejections have been addressed, and thus Applicant respectfully requests allowance of this application. If, in the opinion of the Examiner, a telephone conference would speed prosecution of this application, the Examiner is invited to call the undersigned attorney, at 312-913-3338.

Respectfully submitted,

McDonnell Boehnen
Hulbert & Berghoff

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By: /Thomas J. Loos/
Thomas J. Loos
Reg. No. 60,161